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**DEC 17 2008**

In re Application of	:	
McDougall et al.	:	
Application No. 10/528,146	:	DECISION ON PETITION
Filed: February 6, 2007	:	
Attorney Docket No. 469.1118	:	

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed October 24, 2008, to revive the above-identified application.

The application became abandoned for failure to submit an oath or declaration in compliance with 37 CFR 1.67(a) in a timely manner in reply to the Notice of Allowability, mailed July 26, 2007. On June 23, 2008 a petition under 37 CFR 1.137(b) was filed; however, the petition was dismissed in a decision mailed August 29, 2008. In response, on October 24, 2008 the present petition was filed.

The petition is **GRANTED**.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) a declaration in compliance with 37 CFR 1.63 and 1.67(a); (2) the petition fee of \$1,540; and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

This application is being referred to the Office of Data Management for processing into a patent.

/SDB/  
Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions